

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT ANTHONY PAULI,

Defendant.

Case No. 2:16-cr-00252-APG-NJK

**ORDER ACCEPTING MAGISTRATE  
JUDGE KOPPE'S REPORT AND  
RECOMMENDATION ON MOTION TO  
SUPPRESS**

(ECF Nos. 16, 35)

Defendant Scott Pauli filed a motion to suppress evidence seized (1) during a traffic stop, and (2) pursuant to a search warrant that was issued later based in part on evidence seized during the traffic stop. ECF No. 16. After conducting an evidentiary hearing, Magistrate Judge Koppe entered her Report & Recommendation recommending that the motion to suppress be granted. ECF No. 35. The United States filed an Objection to portions of the Report & Recommendation (ECF No. 37)<sup>1</sup> and Mr. Pauli filed a Response (ECF No. 38). Pursuant to Local Rule IB 3-2(b), I have conducted a *de novo* review of the motion to suppress and related papers. Judge Koppe's Report & Recommendation sets forth the proper legal analysis, and the factual bases, for the decision. I adopt her findings and reasoning as my own. Therefore,

IT IS HEREBY ORDERED that Magistrate Judge Koppe's Report & Recommendation (ECF No. 35) is **accepted**. Mr. Pauli's motion to suppress (ECF No. 16) is **granted**. I hereby suppress the glass pipe and bag of methamphetamine found on Mr. Pauli's person, the items found in his vehicle, and the gun found in his residence.

Dated: March 6, 2017.

  
ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> In its Objection, the United States does not argue that even if the frisk was unlawful, the later search warrant would still be supported by probable cause. Thus, the United States has waived any objection to that portion of Magistrate Judge Koppe's Report & Recommendation. ECF No. 35 at 16:14-20:2. Regardless, I have reviewed and agree with that portion of the Report & Recommendation.